

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JOSEPH LEE DAVIS,	:	
Plaintiff,	:	
	:	1:13-cv-2660
v.	:	
	:	Hon. John E. Jones III
KEVIN BITTENBENDER, <i>et al.</i> ,	:	
Defendants.	:	

**ORDER**

**February 12, 2016**

Upon consideration of Defendants' motion (Doc. 60) to dismiss or, in the alternative for summary judgment, and for the reasons stated in the Court's memorandum of the same date, **IT IS HEREBY ORDERED THAT:**

1. Defendants' motion (Doc. 60) for summary judgment is GRANTED.
2. The Clerk of Court is directed to ENTER judgment in favor of Defendants Bittenbender, Norwood, and Truman and against the Plaintiff.
3. The complaint against Defendant John Doe is DISMISSED pursuant to 28 U.S.C. §1915(e)(2)(B)(ii).
4. The Clerk of Court is directed to CLOSE this matter.
5. Any appeal from this order is DEEMED frivolous and not in good faith. See 28 U.S.C. § 1915(a)(3).

s/ John E. Jones III  
John E. Jones III  
United States District Judge